

OLC 81-0109/7

MEMORANDUM FOR: Director of Central Intelligence

FROM: Frederick P. Hitz  
Legislative Counsel

SUBJECT: Fiscal Year 1982 Intelligence  
Authorization Bill

1. Action requested: Your signature on the attached letter transmitting the draft Fiscal Year 1982 Intelligence Authorization Bill to the Director of the Office of Management and Budget, and on the letters of transmittal to the Speaker of the House and the President of the Senate.

2. Background: This will be the fourth specific annual authorization of appropriations for intelligence, and the process has become institutionalized. My Legislation Division has drafted the Bill, in consultation with concerned Agency components and the Intelligence Community Staff. The Intelligence Community was given the opportunity to propose material for inclusion in the combined CIA and Intelligence Community Legislative Program for the first session of the 97th Congress. The Authorization Bill must now be submitted to the Office of Management and Budget, which coordinates the process of obtaining Administration clearance for forwarding the draft legislation to the Congress.

3. The draft Bill is accompanied by a detailed sectional analysis which explains changes from the fiscal year 1981 Act and additional new provisions. Major new provisions include:

-- A provision (title VIII) which would facilitate the investigation of unauthorized disclosures of classified information by clarifying the FBI's authorities in this area.

-- Provisions (title VII) which would add intelligence officers and foreign nationals in the United States under Intelligence Community auspices to the roster of officials covered by the sections of title 18, United States Code, which make it a federal criminal offense to impede, assault or murder designated officials. Additional security-related provisions are also included in title VII.

-- Amendments to the Foreign Intelligence Surveillance Act (title VI of the draft Bill).

-- Provisions (title V) authorizing DCI action in the area of CIA allowances and benefits to offset disincentives to overseas service. Extensive intra-Agency discussions aimed at determining the best way of proceeding on this issue in light of the need to preserve existing authorities and to meet unique CIA requirements led to the conclusion that a broadly-worded general DCI authority would be preferable to a specific statutory link between CIA and the Foreign Service. NSA's achievement of a statutory tie to Foreign Service benefits and allowances via the fiscal year 1981 Intelligence Authorization Act, and the enormous complexities and uncertainties involved in a Community-wide approach, militate strongly against attempting to extend DCI authorities in the benefits and allowances area on a Community-wide basis. Section 501 also contains authority for the DCI to promulgate CIA travel regulations notwithstanding government-wide procedures.

4. Your transmittal letters to the Speaker of the House and the President of the Senate make reference to Congressional action on separate legislation in the areas of protection of intelligence identities and relief from the Freedom of Information Act.

5. Staff Position: Appropriate Agency components and elements of the Intelligence Community Staff have been consulted in connection with the draft Bill.

6. Recommendation: That you sign the attached letter to the Director of the Office of Management and Budget transmitting the Fiscal Year 1982 Intelligence Authorization Bill, and the letters of transmittal to the Speaker of the House and the President of the Senate, which will be forwarded following Administration clearance of the draft Bill.

Frederick P. Hitz

Attachments

See Distribution on following page.

STAT

Approved For Release 2005/12/01 : CIA-RDP92-00455R000200060015-2

Approved For Release 2005/12/01 : CIA-RDP92-00455R000200060015-2

The Director of Central Intelligence

Washington, D.C. 20505

Honorable David A. Stockman, Director  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Stockman:

In accordance with Office of Management and Budget Circular No. A-19, revised, I am submitting proposed legislation for your advice as to whether it is in accord with the program of the President. Enclosed are ten copies of a draft "Intelligence Authorization Act for Fiscal Year 1982." Also enclosed are draft letters of transmittal to the President of the Senate and to the Speaker of the House of Representatives.

The Fiscal Year 1982 Intelligence Authorization Act was identified as proposal number 97/1-2 in the proposed Central Intelligence Agency and Intelligence Community Legislative Program, which was forwarded to your Office on 15 November 1980 with the consolidated National Foreign Intelligence Program budget. The basic provisions of the draft Fiscal Year 1982 Intelligence Authorization Bill are substantively similar to those in the Fiscal Year 1981 Act (P.L. 96-450). In addition, the draft Bill contains a number of administrative and security-related provisions which are designed to implement the President's determination to enhance the nation's intelligence capabilities and promote the more efficient and effective performance of intelligence functions. These provisions are fully explained in the detailed sectional analysis which accompanies the draft Bill.

I would be most appreciative of your assistance in securing prompt clearance of this proposed legislation.

Sincerely,

William J. Casey

Enclosures

The Director of Central Intelligence

Washington, D.C. 20505

Honorable Thomas P. O'Neill, Jr.  
Speaker of the House of  
Representatives  
Washington, D.C. 20515

Dear Mr. Speaker:

This letter transmits for the consideration of the Congress a draft "Intelligence Authorization Act for Fiscal Year 1982."

Cooperative efforts by the Executive and Legislative Branches in the authorization process during the past several years reflect the progress that has been made in developing meaningful congressional participation in the oversight of our nation's intelligence apparatus. I am confident that for fiscal year 1982 the Congress will provide the resources needed to ensure the Intelligence Community's ability to monitor the military activities of our adversaries and to provide accurate assessments of the political, economic, and social forces which will shape world affairs in the 1980's.

The draft Intelligence Authorization Act for fiscal year 1982 is accompanied by a detailed sectional analysis which explains changes from the fiscal year 1981 Act and additional new provisions which are designed to implement the President's determination to enhance the nation's intelligence capabilities and promote the more efficient and effective performance of intelligence functions.

I trust that the 97th Congress will also move forward expeditiously with separate legislation to protect intelligence identities and to modify the handling of requests for intelligence information under the Freedom of Information Act. It is essential that we move to better safeguard crucial intelligence sources and methods.

Early and favorable consideration of the draft "Intelligence Authorization Act for Fiscal Year 1982" would be greatly appreciated. The Office of Management and Budget has advised that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely,

William J. Casey

Enclosure

The Director of Central Intelligence

Washington, D.C. 20505

Honorable George H.W. Bush  
President of the United  
States Senate  
Washington, D.C. 20510

Dear Mr. President:

This letter transmits for the consideration of the Congress a draft "Intelligence Authorization Act for Fiscal Year 1982."

Cooperative efforts by the Executive and Legislative Branches in the authorization process during the past several years reflect the progress that has been made in developing meaningful congressional participation in the oversight of our nation's intelligence apparatus. I am confident that for fiscal year 1982 the Congress will provide the resources needed to ensure the Intelligence Community's ability to monitor the military activities of our adversaries and to provide accurate assessments of the political, economic, and social forces which will shape world affairs in the 1980's.

The draft Intelligence Authorization Act for fiscal year 1982 is accompanied by a detailed sectional analysis which explains changes from the fiscal year 1981 Act and additional new provisions which are designed to implement the President's determination to enhance the nation's intelligence capabilities and promote the more efficient and effective performance of intelligence functions.

I trust that the 97th Congress will also move forward expeditiously with separate legislation to protect intelligence identities and to modify the handling of requests for intelligence information under the Freedom of Information Act. It is essential that we move to better safeguard crucial intelligence sources and methods.

Early and favorable consideration of the draft "Intelligence Authorization Act for Fiscal Year 1982" would be greatly appreciated. The Office of Management and Budget has advised that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely,

William J. Casey

Enclosure